

***United States Court of Appeals
for the Second Circuit***



**APPELLEE'S
APPENDIX**

77-1221

UNITED STATES COURT OF APPEALS

FOR THE SECOND CIRCUIT

DOCKET NO. 77-1221

UNITED STATES OF AMERICA,

Appellee,

- against -

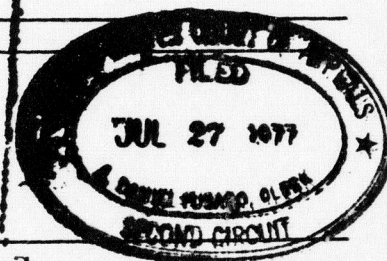
FRANCIS E. KING,

Appellant.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF NEW YORK

APPELLEE'S APPENDIX



DAVID G. TRAGER,
United States Attorney,
Eastern District of New York.

PAGINATION AS IN ORIGINAL COPY

TABLE OF CONTENTS

	<u>PAGE</u>
Government Exhibit 47 in Evidence; 1970 U.S. Individual Income Tax Return of Francis E. and Catherine King	A-1
Government Exhibit 43 in Evidence; Active Service Register of Francis E. King	A-8
Government Exhibit 83 in Evidence; Expenditure Charts	A-10
Government Exhibit 4 in Evidence; Front and Back Pages of Apartment Lease for 15 St. St. Andrews Place, Yonkers, New York	A-14
Government Exhibit 80 in Evidence; 1971 W-2 statement for Francis E. King	A-16
Government Exhibit 6 in Evidence; Ledger Card re: Citibank Savings Account Number 1050103731 in the name of Francis E. King	A-17
Government Exhibit 51 in Evidence; Application for Extension of Time to File for Francis E. King	A-18
Indictment Returned Against Francis E. King, Ann Crosby King, Ronald P. Heffernan, and Jack Matarasso, Docket No. 75 CR 973	A-20

1040

US Department of the Treasury / Internal Revenue Service

Individual Income Tax Return

A1 1970

For the year January 1–December 31, 1970, or other taxable year beginning 1970, ending 19

Please print or type

AD 134-26-1301 071-28-2517 D011
 FRANCIS E & CATHERINE E KING
 15 SPLIT PAIL PLACE
 CCMACK N Y 11725

Your social security number

134 26 1301

Spouse's social security number

071 28 2517

Occu-
pation

Your NYC DETECTIVE

Spouse's HOUSE WIFE

Filing Status—check only one:

- 1 ☐ Single; 2 ☒ Married filing jointly (even if only one had income)
 3 ☐ Married filing separately and spouse is also filing. If this item checked give spouse's social security number in space above and enter first name here
 4 ☐ Unmarried Head of Household
 5 ☐ Surviving widow(er) with dependent child
 6 ☐ Married filing separately and spouse is not filing

Exemptions

Regular / 65 or over / Blind

- 7 Yourself ☒ ☐ ☐ Enter number of boxes checked 2
 8 Spouse (applies only if item 2 or 6 is checked) ☒ ☐ ☐
 9 First names of your dependent children who lived with you DIANE, MICHAEL, FRANCIS 3

10 Number of other dependents (from line 34) 5

11 Total exemptions claimed 23 5

Income

12 Wages, salaries, tips, etc. (Attach Forms W-2 to back. If unavailable, attach explanation) 12 18286 -

13a Dividends (see pages 5 and 9 of instr.) \$ 13b Less exclusion \$ Balance 13c -

14 Interest. Enter total here (also list in Part II of Schedule B, if total is over \$100) 14 17 -

15 Income other than wages, dividends, and interest (from line 40) 15 -

16 Total (add lines 12, 13c, 14 and 15) 16 18,303 -

17 Adjustments to income (such as "sick pay," moving expense, etc. from line 45) 17 1440 -

18 Adjusted gross income (subtract line 17 from line 16) 18 16,863 -

- See page 2 of instructions for rules under which the IRS will figure your tax and surcharge.
 If you do not itemize deductions and line 18 is under \$10,000, find tax in Tables. Enter tax on line 19.
 If you itemize deductions or line 18 is \$10,000 or more, go to line 46 to figure tax.

Tax and Surcharge

19 Tax (Check if from: Tax Tables 1-15 ☐, Tax Rate Schedule X, Y, or Z ☐, Schedule D ☐, or Schedule G ☐) 19 2061 -

20 Tax surcharge. See Tax Surcharge Tables A, B and C in instructions. (If you claim retirement income credit, use Schedule R to figure surcharge.) 20 52 -

21 Total (add lines 19 and 20) 21 2113 -

Payments and Credits

22 Total credits (from line 55) 22 -

23 Income tax (subtract line 22 from line 21) 23 2113 -

24 Other taxes (from line 61) 24 -

25 Total (add lines 23 and 24) 25 2113 -

26 Total Federal income tax withheld (attach Forms W-2 to back) 26 2808 -

27 1970 Estimated tax payments (include 1969 overpayment allowed as a credit) 27 -

28 Other payments (from line 65) 28 -

29 Total (add lines 26, 27, and 28) 29 2808 -

Bal. Due or Refund

30 If line 25 is larger than line 29, enter BALANCE DUE. Pay in full with return 30 -

31 If line 29 is larger than line 25, enter OVERPAYMENT 31 695 -

32 Line 31 to be: (a) Credited on 1971 estimated tax \$; (b) Refunded \$ 695.00

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete.

here

Your signature

Date

Francis E King 4-10-71

Spouse's signature (if filing jointly. BOTH must sign even if only one had income)

Date

Catherine E King 4/10/71

Signature of preparer other than taxpayer, based on all information of which he has any knowledge.

Date

Address

Foreign Accounts
(check
appropriate box)

Did you, at any time during the taxable year, have any interest in or signature or other authority over a bank, securities, or other financial account in a foreign country (except in a U.S. military banking facility operated by a U.S. financial institution)? ☐ Yes ☐ No
If "Yes," attach Form 4683. (For definitions, see Form 4683.)

PART I.—Additional Exemptions (Complete only for other dependents claimed on line 10)

33 (a) NAME	(b) Relation- ship	(c) Months lived in your home. If born or died during year write "B" or "D"	(d) Did depend- ent have income of \$625 or more?	(e) Amount YOU furnished for dependent's support. If 100% write "ALL"	(f) Amount furnished by OTHERS includ- ing dependent.
				\$	\$

34 Total number of dependents listed above. Enter here and on line 10 ▶

PART II.—Income other than Wages, Dividends, and Interest

35 Business income (or loss) (attach Schedule C)	35		
36 Sale or exchange of property (attach Schedule D)	36		
37 Pensions and annuities, rents and royalties, partnerships, estates or trusts, etc. (attach Schedule E)	37		
38 Farm income (or loss) (attach Schedule F)	38		
39 Miscellaneous income (state nature and source)	39		
40 Total (add lines 35, 36, 37, 38, and 39). Enter here and on line 15 ▶	40		

PART III.—Adjustments to Income

41 "Sick pay" if included in line 12 (attach Form 2440 or other required statement)	41		
42 Moving expense (attach Form 3903)	42		
43 Employee business expense (attach Form 2106 or other statement) <i>USE QF. AUTO FOR WORK</i>	43	1440	-
44 Payments as a self-employed person to a retirement plan, etc. (attach Form 2950SE)	44		
45 Total adjustments (add lines 41, 42, 43, and 44). Enter here and on line 17 ▶	45		

PART IV.—Tax Computation

46 Adjusted gross income (from line 18)	46	16863	-
47 (a) If you itemize deductions, enter total from Schedule A, line 22 (b) If you do not itemize deductions, and line 46 is \$10,000 or more, enter \$1,000 (\$500 if married and filing separately)	47	2644	-
48 Subtract line 47 from line 46	48	14219	-
49 Multiply total number of exemptions claimed on line 11, by \$625.	49	3125	-
50 Taxable income. Subtract line 49 from line 48. (Figure your tax on this amount by using Tax Rate Schedule X, Y, or Z unless the alternative tax or income averaging is applicable.) Enter tax on line 51	50	11094	-
51 Tax. Enter here and on line 19 ▶	51	2061	-

PART V.—Credits

52 Retirement income credit (attach Schedule R)	52		
53 Investment credit (attach Form 3468)	53		
54 Foreign tax credit (attach Form 1116)	54		
55 Total credits (add lines 52, 53, and 54). Enter here and on line 22 ▶	55		

PART VI.—Other Taxes

56 Self-employment tax (attach Schedule SE)	56		
57 Tax from recomputing prior-year investment credit (attach Form 4255)	57		
58 Minimum tax. See instructions on page 7. Check here ☐ if Form 4625 is attached	58		
59 Social security tax on unreported tip income (attach Form 4137)	59		
60 Uncollected employee social security tax on tips (from Forms W-2)	60		
61 Total (add lines 56, 57, 58, 59, and 60). Enter here and on line 24 ▶	61		

PART VII.—Other Payments

62 Excess F.I.C.A. tax withheld (two or more employers—see instructions on page 7)	62		
63 Credit for Federal tax on gasoline, special fuels, and lubricating oil (attach Form 4136)	63		
64 Regulated Investment Company Credit (attach Form 2439)	64		
65 Total (add lines 62, 63, and 64). Enter here and on line 28 ▶	65		

Schedules A&B—1
(Form 1040)

Department of the Treasury
Internal Revenue Service

Deductions AND
and Interest Income

▶ Attach to Form 1040.

A 3

1970

Name(s) as shown on Form 1040

Your Social Security Number
134 26 1301

FRANCIS E. AND CATHERINE E. KING

Schedule A—Itemized Deductions (Schedule B on back)

Medical and dental expenses (not compensated by insurance or otherwise) for medicine and drugs, doctors, dentists, nurses, hospital care, insurance premiums for medical care, etc.

- 1 One half (but not more than \$150) of insurance premiums for medical care . . .
- 2 Medicine and drugs
- 3 Enter 1% of line 18, Form 1040 . . .
- 4 Subtract line 3 from line 2. Enter difference (if less than zero, enter zero) . .
- 5 Itemize other medical and dental expenses. Include hearing aids, dentures, eyeglasses, transportation, balance of insurance premiums for medical care not entered on line 1, etc.

Contributions.—Cash—including checks, money orders, etc. (Itemize—see instructions on page 8 for examples)

CHRIST THE KING R.C. CHURCH 300. —

- 11 Total cash contributions
- 12 Other than cash (see instructions on page 8 for required statement). Enter total for such items here
- 13 Carryover from prior years (see instructions on page 8)
- 14 Total contributions (Add lines 11, 12, and 13. Enter here and on line 19, below. See instructions on page 8 for limitation)

300 —

300 —

Interest expense—Home mortgage
Installment purchases
Other (Itemize)

656 —

- 6 Total (add lines 4 and 5)
- 7 Enter 3% of line 18, Form 1040 . . .
- 8 Subtract line 7 from line 6. Enter difference (if less than zero, enter zero) . .
- 9 Total deductible medical and dental expenses (Add lines 1 and 8. Enter here and on line 17, below.)

Taxes.—Real estate
State and local gasoline (see gas tax tables)
General sales (see sales tax tables)
State and local income
Personal property

1284 —
92
166
721 —

- 15 Total interest expense (Enter here and on line 20, below.)
- Miscellaneous deductions for child care, alimony, union dues, casualty losses, etc. (see instructions on page 8).

656 —

PBA, DEA, HOUSE PAY—125.00

10 Total taxes (Enter here and on line 18, below.)

1563

16 Total miscellaneous deductions (Enter here and on line 21, below.)

125. 00

Summary of Itemized Deductions

A

- 17 Total deductible medical and dental expenses (from line 9)
- 18 Total taxes (from line 10)
- 19 Total contributions (from line 14)
- 20 Total interest expense (from line 15)
- 21 Total miscellaneous deductions (from line 16)

0
1563 —
300 —
656 —
125 —

22 TOTAL ITEMIZED DEDUCTIONS. (Add lines 17 through 21. Enter here and on Form 1040, line 47)

2644

Name(s) as shown on Form 1040 (Do not enter name and social security number if shareholder)

Your Social Security Number

Part I Dividend Income

Note: If gross dividends and other distributions on stock are \$100 or less, do not complete this part. But enter gross dividends less the sum of capital gain distributions and non-taxable distributions, if any, on Form 1040, line 13a. (see note below)

1 Gross dividends and other distributions on stock. (List payers and amounts—write (H), (W), (J), for stock held by husband, wife, or jointly)

Part II Interest Income

Note: If interest is \$100 or less, do not complete this part. But enter amount of interest received on Form 1040, line 14.

1 Earnings from savings and loan associations and credit unions (list payers and amounts)

2 Other interest on bank deposits, bonds, tax refunds, etc. (list payers and amounts)

B

2 Total of line 1

3 Capital gain distributions (see instructions on page 9. Enter here and on Schedule D, Part I, line 7.)
See note below

4 Nontaxable distributions (see instructions on page 9)

5 Total (add lines 3 and 4)

6 Dividends before exclusion (subtract line 5 from line 2). Enter here and on Form 1040, line 13a

3 Total interest income. Enter here and on Form 1040, line 14

Note: If you received capital gain distributions and Schedule D is not needed to report any other gains or losses or to compute the alternative tax, you need not file Schedule D. Instead, enter 50 percent of capital gain distributions on Form 1040, line 39, under "Miscellaneous Income," and identify the source as "50% of cap. gain dist."

2
IDENTIFICATION
NO. 13-6400434

EMPLOYER BY WHOM PAID
THE CITY OF NEW YORK

WAGE AND TAX STATEMENT-1970
(For use in States or Cities authorizing combined form)

Copy B-To be
filed with employee's
FEDERAL tax return

SOCIAL SECURITY
IDENTIFICATION
NO. 69-0210642

Credit For F.I.C.A. Tax.—If more than \$374.40 of F.I.C.A. (social security and hospital insurance) employee tax was withheld during 1970 because you received wages from more than one employer, the excess should be claimed as a credit against your Federal income tax. See instructions for your Federal income tax return.

INCOME TAX INFORMATION		SOCIAL SECURITY INFORMATION		SOCIAL SECURITY PENSION OR EMPLOYEE REGISTRY NO.	
FEDERAL INCOME TAX WITHHELD	WAGES PAID SUBJECT TO WITHHOLDING IN 1970	F.I.C.A. EMPLOYEE TAX WITHHELD	TOTAL F.I.C.A. WAGES PAID IN 1970		
2807.36	18085.63 *	374.40	7800.00	00R837959	
EMPLOYEE TO WHOM PAID F. J. KING 15 SPLIT RAIL PL CUMMACK NEW YORK		SOCIAL SECURITY NO.		DIST NO.	DEPT NO.
		134-26-1301		4510	059
		630.25		41.30	
		NEW YORK State income tax withheld		NEW YORK City income tax withheld	

1. This amount is before payroll deductions.

A copy of this form has been sent to the Internal Revenue Service.

This is not a tax return but you must file it with your tax return.

FORM W-2—U.S. Treasury Department, Internal Revenue Service

* Total may include wage payments from more than one department and/or supplementary payments

Employee Business Expense
Replacement of Form 2106

April 10, 1971

During the year, 1970, I was assigned as a detective to the Narcotics Division of the New York City Police Department. I was required to use my personal automobile during the entire year to conduct investigations for which I was not reimbursed by the City of New York.

My total mileage for the year was 30,000 miles, 18,000 of which were for my own personal business and 12,000 miles on Police Dept. business.

At \$.12 a mile for each of the 12,000 miles driven for Police Dept. business, gives me a deduction of \$1440.00.

Francis E. Ruiz

15 Split Rail Place

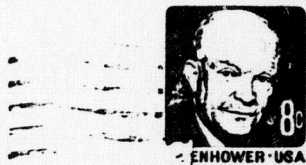
Commack N.Y. 11725

(Please Print)

F. KING

15 SPLIT RAIL PLACE

COMMACK, NY 11725



Internal Revenue Service Center
North-Atlantic Region
Andover, Mass. 01812

27

11

POLICE PENSION FUND Article 2

PERMANENT
ACTIVE SERVICE HISTORY CARD

NAME

(1) PRECINCT	RANK	SHIELD No.	PAYROLL	Code No.
PA	PL	21191		
32-02 F	PL	"		
1000	S	"		
✓ 10	"	"		

DATE OF

	Month	Day	Year
(2) Birth	9	17	34
(3) Entrance into Membership			
(4) Temporary or Probationary Appointment			
(5) Permanent Appointment			
(6) First Marriage			
Death—First Wife			
Second Marriage			
Death—Second Wife			
(7) Resignation			
Dismissal (with cause)			
Dismissal (without cause)			
Transfer to other Department			
Death (not in performance of duty)			
Death (in performance of duty)			
Disability Retirement (not in performance of duty)			
Disability Retirement (in performance of duty)			
Service Retirement			

(8) RETURN OF ACCUMULATED SALARY DEDUCTIONS IN CASE

(a) NAME OF BENEFICIARY	ADDRESS	SEX	DATE OF BIRTH	(b)
Catherine King	1119 Woody Cr. -vBx	F	11-27-35	
Ann Crosby King	177 White Plains Rd			
	Tarrytown NY	F	1-22-39	

(9) PAYMENT OF BENEFIT IF IN ACTIVE SERVICE WHEN DEAT

(a) NAME OF BENEFICIARY	ADDRESS	SEX	DATE OF BIRTH	(b)
Catherine King	Same	F	11-27-35	
Ann Crosby King	177 White Plains Rd			
	Tarrytown NY	F	1-22-39	

REMARKS:

ACTIVE SERVICE REGISTER No. 3 1201

King Francis E.

Family Name

Given Name or Names

WITHDRAWAL REGISTER No. 10446

DATE	PRECINCT	RANK	SHIELD No.	PAYROLL	Code No.	DATE
JUN 1 1956	NAB BUR	PTL	21181			6-1-56
8-25-56		DET 3	7-246		12	8-25-56
4-11-60		DET 2				4-11-60
5-7-61						
11-20-61						

AGE OF				CHECK BY (X)			CHECK BY (X)	
MEMBER		WIFE		(10) MARITAL CONDITION			(11) SEX	
Years	Months	Years	Months	SINGLE	MARRIED	X	MALE	FEMALE
21	10						X	
				WIDOWED	DIVORCED			
(12) PRIOR SERVICE ALLOWANCE								
				TENTATIVE		FINAL		AMENDED
				Years	Mos.	Years	Mos.	Years Mos.
(a) CITY SERVICE								
(b) OUTSIDE SERVICE								
TOTAL								
DATE EFFECTIVE								
(13) DATE INDICATING PRIOR SERVICE								
SS 134-26-1301							YEAR	DATE
EQUATED DATE OF APPOINTMENT								
CHANGES IN EQUATED DATE ON ACCOUNT OF								
ABSENCE WITHOUT PAY								
DEPENDENTS								

OF DEATH AT ANY TIME

Relationship to Member	(c) Date of Selection
Wife	JUN 1 1956
Wife	3-16-76

ATH OCCURS

Relationship to Member	(c) Date of Selection
Wife	
Wife	3-16-76

	NAME	DATE OF				AGE AT DEATH OF MEMBER	
		BIRTH		DEATH		Year	Month
		Year	Month	Year	Month	Year	Month
(14) CHILDREN							
(1) Diane		55	10				
(2)							
(3)							
(4)							
(5)							
(6)							
(7)							
(8)							
(9)							
(15) PARENTS							
(1) Father	Deceased						
(2) Mother	Lillian	02	10				

(OVER)

(21) RECORD OF ANNUAL COMPENSATION, SALARY DEDUCTIONS

YEAR	COMPENSATION		SALARY DEDUCTIONS	INTEREST	Withdrawal of Accumulated Deductions			
	Pay Period	Actual Total for Year			AMOUNT	Month	Day	Year
1957			157.70	1.30				
1958		LT	572	-0-				
1959			100.04	11.63				
1960			157	4.66				
1961					134.17	12	31	57
1962	26		470.06	10.41				
1963	26		537.05	16.40				
1964			7.11	7.11	134.17			
1965	21		340.11	5.457				
1966			455.73	75.18				
1967				1				
1968			711.16	98.11				
1969		0	48.20	12.52	18.05	2 1/2	%	
1970			100.54	14.13				
1971			131.73	10.10				
1972		0	100.02	6.25 17				
1973			311.01	22.17				
1974		102.00	472.11	30.03	123.12	10	10	74
1975		102.11			338.07	5	29	75
1976	26		310.01	336.41				
1977	26		457.07	36.12				
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NS & INTEREST (22)

SERVICE ALLOWANCE AT APPOINTMENT

AGE AT ENTRANCE INTO MEMBERSHIP
PRIOR SERVICE ALLOWANCE

FINAL		AMENDED	
Years	Months	Years	Months

(23) NORMAL RATE OF SALARY CONTRIBUTION

Date Certified	Employee's Rate	City's Rate	Date Certified	Employee's Rate	City's Rate
7-18-77	9.45				
7-18-77	9.55				

(24) RATE SELECTED BY MEMBER

Percentage	Date	Percentage	Date	Percentage	Date	Percentage	Date

(25) RECORD OF CHANGES IN STATUS OF MEMBER

Date	Nature of Change	Compensation	Remarks	Date	Nature of Change	Compensation	Remarks
1-1-55	PTL	4000		1-1-55	PTL	4000	
1-1-55	PTL	4200		1-1-55	PTL	4200	
1-1-55	PTL	4410		1-1-55	PTL	4410	
1-1-55	"	4710		1-1-55	"	4710	
1-1-55	PTL	5235		1-1-55	PTL	5235	
1-1-59	"	5881		1-1-59	"	5881	
1-1-61	"	6181		1-1-61	"	6181	
1-1-61	"	6381		1-1-61	"	6381	
1-1-61	"	6581		1-1-61	"	6581	
1-1-61	PTL	6781		1-1-61	PTL	6781	

(26) LEAVES OF ABSENCE

GRANTED		PERIOD		ACTION ON ALLOWANCE			
Date	Cause	From	To	Date	Dept.	Board	

(27) CHECK MARITAL CONDITION AND SEX

Single		Married		X	Widowed or Divorced	
Male		X			Female	

REMARKS: 20 Year Plan - 3%

719

(OVER)



FRANCIS E. KING

A 10

1970

EXPENDITURES PER INVESTIGATION

Federal Income Tax Withheld (Exhibit 47)	\$ 2,807.85
New York State Income Tax Withheld (Exhibit 47)	680.25
New York City Income Tax Withheld (Exhibit 47)	41.30
F.I.C.A. Withheld (Exhibit 47)	374.40
Pension Payments Withheld (Exhibit 43)	457.07
Gasoline, Real Estate and Sales Taxes (Exhibit 47)	1,542.00
Contributions (Exhibit 47)	300.00
Interest (Exhibit 47)	656.00
Miscellaneous Expenses (Exhibit 47)	125.00
Support Payments (Testimony of Catherine King)	4,875.00
Furniture (Exhibits 2, 3)	6,585.09
Rent for 15 St. Andrews Place, Yonkers, N.Y. (Exhibit 4)	820.00
Automobile Expenses (Exhibit 47)	<u>1,440.00</u>

TOTAL EXPENDITURES PER INVESTIGATION

\$20,703.96

LESS: NON TAXABLE RECEIPTS

1969 Federal Income Tax Refund (Exhibit 53)

687.00

GROSS INCOME PER INVESTIGATION

\$20,016.96

LESS: ADJUSTMENTS TO INCOME

1/4 Reimbursed Business Expense (Exhibit 47)

1,440.00

ADJUSTED GROSS INCOME PER INVESTIGATION

\$18,585.96

ADJUSTED GROSS INCOME PER RETURN

\$16,863.00

FRANCIS E. KING

1971

A 11

EXPENDITURES PER INVESTIGATION

Federal Income Tax Withheld (Exhibit 80)	\$ 2,544.16
New York State Income Tax Withheld (Exhibit 80)	633.41
New York City Income Tax Withheld (Exhibit 80)	155.50
F.I.C.A. Withheld (Exhibit 80)	405.60
Pension Payments Withheld (Testimony of T. Abruzzese)	416.39
Increase in Bank Account (Exhibit 56)	3,795.49
Rent: 15 St. Andrews Place, Yonkers, N.Y. (Exhibit 4)	2,460.00
3424 Kingsbridge Avenue, Bronx, N.Y. (Exhibit 77)	1,127.28
Support Payments (Testimony of Catherine King)	6,500.00
Purchase of Automobile	
(Testimony of Catherine King, Exhibits 8, 9, 9A)	<u>3,289.00</u>

TOTAL EXPENDITURES PER INVESTIGATION	\$21,326.83
--------------------------------------	-------------

LESS: NON TAXABLE RECEIPTS

1970 Federal Income Tax Refund (Exhibit 47)	<u>695.00</u>
---	---------------

GROSS INCOME PER INVESTIGATION	\$20,631.83
--------------------------------	-------------

LESS: ADJUSTMENTS TO INCOME	<u>.00</u>
-----------------------------	------------

ADJUSTED GROSS INCOME PER INVESTIGATION	\$20,631.83
---	-------------

LESS: STANDARD PERMITTED DEDUCTION	1,500.00
EXEMPTIONS	<u>3,375.00</u>

TAXABLE INCOME PER INVESTIGATION	\$15,756.83
----------------------------------	-------------

FRANCIS E. KING

A 12

1972

EXPENDITURES PER INVESTIGATION

Federal Income Tax Withheld (Exhibit 81)	\$ 1,123.25
New York State Income Tax Withheld (Exhibit 81)	276.80
New York City Income Tax Withheld (Exhibit 81)	93.50
F.I.C.A. Withheld (Exhibit 81)	396.90
Pension Payments Withheld (Testimony of T. Abruzzese)	223.28
Gasoline and Sales Taxes (Exhibit 28)	532.00
Contributions (Exhibit 28)	300.00
Miscellaneous Expenses (Exhibit 28)	1,300.00
Travel (Exhibits 10, 11, 12, 13)	2,320.00
Alimony and Support Payments (Testimony of Catherine King)	5,200.00
Purchase of Automobile (Stipulation re: Pasquale Intrieri)	3,800.00
Insurance (Exhibit 60)	375.00
Purchase of Boat (Testimony of John Perrone)	12,000.00
Rent: 15 St. Andrews Place, Yonkers, N.Y. (Exhibit 4)	2,460.00
3424 Kingsbridge Avenue, Bronx, N.Y. (Exhibit 77)	<u>1,932.48</u>

TOTAL EXPENDITURES PER INVESTIGATION \$32,333.21

LESS: NON TAXABLE RECEIPTS

Pension Loan (Exhibit 44)	5,250.00
Decrease in Bank Account (Exhibit 6)	3,795.49
Return of Deposit: El San Juan (Exhibit 10)	47.30
Return of Deposit: Sands (Exhibit 12)	<u>657.13</u>

GROSS INCOME PER INVESTIGATION \$22,583.29

LESS: ADJUSTMENTS TO INCOME .00

ADJUSTED GROSS INCOME PER INVESTIGATION \$22,583.29

LESS: ITEMIZED DEDUCTIONS (Exhibit 28)	2,502.00
EXEMPTIONS (Exhibit 28)	<u>3,000.00</u>

TAXABLE INCOME PER INVESTIGATION \$17,081.29

LESS: TAXABLE INCOME PER 1972 TAX RETURN (Exhibit 28) 21,864.00

AVAILABLE FOR 1973 EXPENDITURES \$ 4,782.71

FRANCIS E. KING

1973

4 13

EXPENDITURES PER INVESTIGATION	
Federal Income Tax Withheld (Exhibit 82)	\$ 635.33
New York State Income Tax Withheld (Exhibit 82)	159.03
New York City Income Tax (Withheld) (Exhibit 82)	57.40
F.I.C.A. (Withheld) (Exhibit 82)	194.34
Real Estate and Sales Taxes (Testimony of Special Agent Weinstein, Exhibit 28)	2,401.97
Interest (Exhibit 28)	1,739.11
Increase in Bank Accounts (Exhibits 16, 19)	4,019.72
Mortgage Principal Payments:	
47 Franklin Drive, Stony Point, New York (Exhibit 21)	7,406.71
Purchase of 5 Old House Lane, Chappaqua, New York (Exhibits 24, 25, 26, 27)	55,000.00
Increase in Escrow: 5 Old House Lane (Exhibit 28)	2,345.70
Mortgage Principal Payments: 5 Old House Lane (Exhibit 28)	206.66
Con Edison: 5 Old House Lane (Exhibit 30)	266.64
Rent: 4601 Henry Hudson Parkway, Bronx, N.Y. (Exhibit 32)	2,205.00
3777 Independence Avenue, Bronx, N.Y. (Exhibit 33)	2,988.90
15 St. Andrews Place, Yonkers, N.Y. (Exhibit 4)	205.00
3424 Kingsbridge Avenue, Bronx, N.Y. (Exhibit 77)	1,932.48
Investments: Fahnstock and Company (Exhibit 34)	3,480.85
Investments: Statewide Investigations (Testimony of Special Agent Weinstein)	2,199.35
Loans to Robert H. King (Testimony of Robert King, Exhibits 78, 79)	13,100.00
Furniture (Exhibit 36)	12,595.50
Purchase of Automobile (Testimony of Fred Wilkerson)	1,000.00
Purchase of Investigative Equipment and Stationery (Exhibits 36, 38)	1,776.20
Loan Payment (Exhibit 20)	759.20
American Express (Exhibit 39)	1,120.60
Alimony and Support Payments (Testimony of Catherine King)	6,500.00
Tax Payments: Federal (Exhibit 40)	4,329.00
State (Exhibit 40)	1,498.00
City (Exhibit 40)	354.50
Insurance (Exhibits 29, 60, 56)	1,263.00
TOTAL EXPENDITURES PER INVESTIGATION	\$131,740.19
LESS: NON TAXABLE RECEIPTS	
1972 Federal Tax Refund (Exhibit 63)	473.00
Pension Loan (Exhibit 45)	2,170.00
Bank Loan (Exhibit 20)	3,000.00
Repayment of Loan (Testimony of Robert King, Exhibit 33A)	5,500.00
Gift from Grace King (Exhibit 46)	3,000.00
Decrease in Bank Accounts (Exhibits 14, 15, 17)	593.01
Sale of Stock (Exhibit 34)	5,162.03
Ralph Langsam Rebate (Exhibit 32)	795.00
Return of Deposit: New York Telephone Company (Exhibit 55)	73.72
Insurance Proceeds (Exhibit 23)	30.42
LESS: FUNDS AVAILABLE FROM 1972 ANN KING 1973 TAKE HOME PAY	4,782.71
	12,884.37
GROSS INCOME PER INVESTIGATION	\$93,275.93
LESS: ADJUSTMENTS TO INCOME	.00
ADJUSTED GROSS INCOME PER INVESTIGATION	\$93,275.93
LESS: ITEMIZED DEDUCTIONS	7,509.51
EXEMPTIONS	3,750.00
TAXABLE INCOME PER INVESTIGATION	\$82,016.42



STANDARD FORM OF APARTMENT LEASE

The Real Estate Board of New York, Inc.

A 14

Agreement of Lease, made this 1st day of October 1970, between
Standrew Company
of the first part, hereinafter referred to as Landlord, and
Frank King
party of the second part, hereinafter referred to as Tenant.

Witnesseth: That Landlord hereby leases to Tenant and Tenant hereby hires from Landlord, the apartment known as
Apartment 1-K on the first floor, in the building
located at 15 St. Andrews Pl., Yonkers, N. Y. ~~XXXXXXXXXX~~ ~~XXXXXXXXXX~~
for the term of Three (3) years

(or until such term shall sooner cease and expire, as hereinafter provided), to

Commence on the 1st day of October nineteen hundred and seventy
and on the 30th day of September nineteen hundred and seventy-three
dates inclusive, at an annual rental of Twenty-Four Hundred Sixty (\$ 2,460.00) Dollars
or monthly at Two Hundred Five (\$ 205.00) Dollars plus
as per City of Yonkers guidelines agreement.

Tenant agrees to pay in lawful money of the United States, which shall be legal tender in payment of all debts and dues, public and private, at the time of payment, in equal monthly installments in advance on the first day of each month during said term, at the office of Landlord or such other place as Landlord may designate, without any set-off or deduction whatsoever, and that Tenant shall pay the first monthly installment on the execution hereof (unless this lease be a renewal).

It is understood and agreed that if the demised premises are rented from the 15th day of the month, Landlord may serve notice in such manner and under such circumstances as Landlord alone may determine requiring Tenant to pay one-half month's rent in advance on the 15th day of any following month and that thereafter the rent shall become due and payable on the first day of each and every month in advance.

In the event that, at the commencement of the term of this lease, Tenant shall be in default in the payment of rent to Landlord pursuant to the terms of a prior lease with Landlord or with Landlord's predecessor in interest, Landlord may at Landlord's option and without notice to Tenant add the amount of such arrearages to any monthly installment of rent payable hereunder, and the same shall be payable to Landlord as additional rent hereunder.

The parties hereto, for themselves, their heirs, distributees, executors, administrators, legal representatives, successors and assigns, hereby covenant, as follows:

1. Tenant shall pay the rent as above and as herein after provided.

2. The demised premises and any part thereof shall be occupied only by Tenant and the members of the immediate family of Tenant, and as a strictly private dwelling apartment and for no other purpose.

for injury to any person or persons or to any property by reason of any business or operation being carried on upon said premises; and shall comply with all rules, orders, regulations or requirements of the New York Board of Fire Underwriters, or any other similar body, and shall not do, or permit anything to be done, in or upon said premises, or bring or keep anything therein, which shall increase the rate of fire insurance on the building, of which demised premises form a part, or on any property located therein. If by reason of failure of

Fire Insurance

Apartment

Premises

Tenant

Expires



The
Rep

1-K

15 St. Andrews Place,
Yonkers, N.Y. 10705

Frank King

September 30, 1973

Rent...\$ 205.00

Sec. 205
ht $\frac{2.80}{207.80}$

Rent 224 Feb.
 $\frac{1/2 \text{ pint } 75}{299}$
 $\frac{207.80}{91.20}$
Due

STANDARD FORM OF APARTMENT

Lease



Management Division

Real Estate Board of New York, Inc.

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Moved Jan/73
over Feb. + paint

Moved May
#182 in section
5/4/73 me

At 15

A 16

IDENTIFICATION
NO. 13-6400434SOCIAL SECURITY
IDENTIFICATION
NO. 69-0210642Reissued By Employer 11/26/74
EMPLOYER BY WHOM PAID
THE CITY OF NEW YORKWAGE AND TAX STATEMENT-1971
(For use in States or Cities-authorizing combined form)Copy B-To be
filed with employee's
FEDERAL tax return

Credit For F. I. C. A. Tax.-If more than \$405.60 of F. I. C. A. (social security and hospital insurance) employee tax was withheld during 1971 because you received wages from more than one employer, the excess should be claimed as a credit against your Federal income tax. See instructions for your Federal income tax return.

INCOME TAX INFORMATION		SOCIAL SECURITY INFORMATION		SOCIAL SECURITY PENSION OR EMPLOYEE REGISTRY NO.
FEDERAL INCOME TAX WITHHELD	WAGES ¹ PAID SUBJECT TO WITHHOLDING IN 1971	F. I. C. A. EMPLOYEE TAX WITHHELD	TOTAL F. I. C. A. WAGES PAID IN 1971	
2544.16	18081.13 *	405.60	7800.00	R837959
EMPLOYEE TO WHOM PAID Francis E. King		SOCIAL SECURITY NO.	DIST. NO.	DEPT. NO.
		134-26-1301		056
		633.41	155.50	
		NEW YORK State income tax withheld	NEW YORK City income tax withheld	

¹ This amount is before payroll deductions.

A copy of this form has been sent to the Internal Revenue Service.

This is not a tax return but you must file it with your tax return.

* Total may include wage payments from more than one department and/or supplementary payments.

FORM W-2 U. S. Treasury Department, Internal Revenue Service

TITLE OF ACCOUNT		CARD NO.	
FRANCIS E. KING		1050103731	
SOC. SEC./ACCT. NO.	BOOK BALANCED	LAST TRANS.	INT. BAL.
DATE	WITHDRAWALS	DEPOSITS	INTEREST
			INT. NOT POSTED
			INTEREST CALCULATED BY CHECKED BY
1 OCT 28-71		**2470.85	19.64
2			
3 NOV 22-71		**1,298.65	
4 DEC 29-71			
5			
6 JAN 10-72		**443.40	47.68
7			
8 MAR 20-72	6.72	**5,250.00	44.19
9			
10 MAR 20-72	*3,800.00	401	41.40
11 MAR 30-72			
12			
HOLD 11/14/72	475	**1,470.00	41.40
RLSE 2/26/72		1193.40	7.208.72
13			
14 JUN 29-72		8187	
15			
16 SEP 18-72	104	**657.13	69.22
17			
18 SEP 28-72		90.19	82.91
19 DEC 21-72	*3,017.98		
20			
21	2544622		
22			
23			
24			

REPORTED

DO NOT PAY UNLESS THIS SIGNATURE IS APPROVED	APPROVED	INTEREST PAID CURRENT YEAR TO BE INCLUDED ON TAX FORM IRS 1099
DO NOT PAY UNLESS THIS SIGNATURE IS APPROVED	APPROVED	

57 1699 REV. 5-67

FIRST NATIONAL CITY BANK

7312 TC460 1327713110012
Application for Extension of Time to File

U.S. Individual Income Tax Return

(See reverse for filing instructions and return address. Be sure to answer all questions.)

File in **DUPLICATE** on or before the due date for filing the return. (See instruction 2.)

18

Please Print or Type	Name of taxpayer(s) <u>FRANCIS E. KING</u>	Your social security number <u>134 26 1301</u>
	Number and street or rural route <u>5 OLD HOUSE LANE</u>	Spouse's social security number <u>061574</u>
	City or town, State and ZIP code <u>CHAPPAQUA, NEW YORK 10514</u>	

1. An extension of time until JUNE 15, 1974, is hereby requested in which to file the individual income tax return (Form 1040) of the taxpayer named above for the taxable year beginning JAN. 1, 1973, 1973, and ending DEC. 31, 1974.
2. Has an extension of time to file been previously granted for this taxable year? ☐ Yes ☒ No
3. State in detail the reason the taxpayer needs an extension (If space is insufficient use the bottom of page 2):
WIFE PRESENTLY CONFINED IN HOSPITAL FOR NERVOUS BREAKDOWN, I AM UNDER GREAT PRESSURE
4. Did the taxpayer file an individual income tax return on time (including any authorized extension) for each of the 3 years immediately preceding the year for which this extension is requested? ☒ Yes ☐ No
If "NO," list each year during the 3-year period for which a return was not filed on time or within a period covered by an extension, and state the reason.
5. Was the taxpayer required to file a declaration of estimated tax for the year for which this extension is requested? ☒ Yes ☐ No
If "YES," was each required installment payment made on or before its due date? ☐ Yes ☒ No

CAUTIONARY NOTE:

- A. Election to have the Internal Revenue Service compute the income tax is not available to the taxpayer with, or without, an extension if the return is filed later than the regular due date.
- B. Interest accrues at the rate of 6% per year on any tax due from the regular due date of the return until paid.

Signature and Verification

If Prepared by Taxpayer.—Under penalties of perjury, I declare that to the best of my knowledge and belief, the statements made herein are true, correct, and complete.

Signature of taxpayer Francis E. King Date 4/15/74

Spouse's signature _____ Date _____

If Prepared by Someone Other Than Taxpayer.—Under penalties of perjury, I declare that to the best of my knowledge and belief, the statements made herein are true, correct, and complete, and that I am authorized by the taxpayer to prepare this application,

on) _____

and not be submitted unless requested.)
who is unable to sign this application because of
reasons why the taxpayer is unable to sign this

Date _____

and or denied and return the original.

19 RECEIVED MAIL 82

period is granted from date shown below or due
to constitute a valid extension APR 29 1974 for purposes of

Careful consideration has been given to the reasons stated in your application and it has been determined that the extension is not warranted. (The 10-day grace period is not granted.)

Director Brookhaven Service Center
Holtsville, N. Y. 11799

☐ The application cannot be considered since it was received in this office after the due date of the return.

☐ Other _____

MAY 14 1974

Date

Director

By: _____

If the original copy of this application is to be returned to the taxpayer(s) at an address other than shown on page 1, or to an agent acting for the taxpayer, please complete the section below:

19

Please Print or Type	Name
	Number and street
	City or town, State and ZIP code

Instructions

1. When to file.—A taxpayer desiring an extension of time for filing Form 1040 must submit an application on or before the due date of the return. The application should be submitted in sufficient time to enable the Internal Revenue Service to consider and to act on the application before the regular due date of the return.

Although an extension of time to file a return extends the time for payment of the tax, unless specified to the contrary in the extension, interest will, however, accrue at the rate of 6 percent per year on any tax due on the return from the regular due date of the return until paid. If the balance of tax due on the return is not paid with the return, a penalty for late payment may also be charged in addition to the regular interest charge. However, the late payment penalty will not apply to the period for which the extension is granted.

2. How and where to file.—Complete this form in duplicate and file with the Internal Revenue office where you are required to file your return.

U.S. citizens abroad who have no legal residence or place of business in the United States should file with the Internal Revenue Service Center, 11601 Roosevelt Boulevard, Philadelphia, Pennsylvania 19155. If a U.S. citizen abroad is requesting an extension of time for filing because he expects to receive income which will be exempt under section 911 of the Internal Revenue Code, he should use Form 2350. Citizens of the United States who are residing or traveling outside of the United States on the due date of the return (for calendar year the due date is April 15) are automatically allowed a 2-month extension.

3. Reasons for extension.—The Internal Revenue Service will grant a reasonable extension of time for filing a

return if the taxpayer files a timely application which establishes that he is unable to file the return by the due date because of circumstances beyond his control. Generally, an application will be considered in the light of the efforts made by the taxpayer to fulfill his own filing responsibility, rather than the convenience of someone who assists him. However, consideration will be given to circumstances in which the taxpayer's practitioner is unable, due to reasons beyond his control, to complete the return for filing by the due date, or to other circumstances in which a taxpayer is unable to get essential professional assistance in spite of timely efforts to obtain it.

Item 3 should clearly describe in detail the circumstances beyond the taxpayer's control, which will cause the unavoidable delay in filing the return. Applications which give incomplete reasons such as "illness" or "practitioner too busy" without adequate explanations, will not be approved. Where it is clear that a request for extension of time to file an income tax return is frivolous—solely to gain time to file—the Internal Revenue Service will deny both the extension request and the 10-day grace period.

4. Blanket requests.—Blanket requests for extensions will not be granted. A separate application must be submitted for each return.

5. Period of extension.—Generally, an extension of time on an initial application will be limited to a period of time not in excess of 60 days. A longer period of time will not be granted unless sufficient need for such extended period is clearly shown. In no event will an extension be granted in excess of 6 months for taxpayers within the United States.

(For additional information)

TPP:lag
F. #753,931

*Validated by limits of P.R.S.
to Vetch + Redland by consent
of Mr. Curcio - 12/23/75*

J. WEINSTEIN

At 20

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

75 CR 973

UNITED STATES OF AMERICA

- against -

FRANCIS E. KING
ANN CROSBY KING
RONALD P. HEFFERNAN and
JACK MATARASSO,

Defendants.

Cr. No.
(18 U. S. C., Section 241
18 U. S. C., Section 2511(1)(a)
18 U. S. C., Section 2)

FILED
IN CLERK'S OFFICE
S. DISTRICT COURT E.D. N.Y.

DEC 22 1975

TIME AM.....
PM.....

The Grand Jury Charges:

COUNT ONE

1. Between the years 1969 to 1971 there was an investigative unit within the Narcotics Bureau of the New York City Police Department entitled the Special Investigations Unit (SIU). The jurisdiction of SIU was citywide and its function was to gather evidence for the arrest and prosecution of major narcotics violators. During the aforesaid period, FRANCIS E. KING, ANN CROSBY KING, RONALD P. HEFFERNAN and JACK MATARASSO, the defendants, were members of SIU and, as such, were police officers acting under color of the law of the State of New York.

2. During the aforesaid period the legitimate function of the SIU was perverted and subordinated to the end of obtaining sums of money for its members, including the defendants, through theft and extortion from narcotics dealers and suspects who were the subjects of their investigations. In short, the principal purpose of the investigations conducted by members of SIU, including the defendants, became not to convict those illegally engaged in the narcotics trade, but to enrich the members of the SIU through repeated violations of the Constitution of the United

3. The principal and most important investigative tool employed by the members of SIU, including the defendants, in investigating cases, and in identifying potential victims from whom money was illegally obtained, was wiretapping of telephones. Where a wiretap could not be installed lawfully, it was installed unlawfully either without prior judicial authorization as required by law, or by authorizations obtained by false supporting affidavits.

5. On or about and between the 1st day of January 1969 and the 30th day of December 1971, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, for the purpose of carrying out the illegal SIU activities heretofore described, FRANCIS E. KING, ANN CROSBY KING, RONALD P. HEFFERNAN and JACK MATARASSO, the defendants, together with co-conspirators known and unknown to the Grand Jury, wilfully, knowingly and unlawfully combined, conspired, confederated and agreed together and with each other to use their authority as police officers acting under color of the law of the State of New York to injure, oppress, threaten and intimidate citizens in the free exercise and enjoyment of rights and privileges secured to them by the Constitution of the United States.

6. It was part of said conspiracy that the defendants and their co-conspirators would use their authority as police officers acting under color of the law of the State of New York to conduct unlawful electronic surveillance of Donald Woodford, Alfonso Lanza, Jose Hernandez, Carmelo Tirado, Herbert Bidmead, Salvatore Larca, Alfio Indiviglia, Eugene Garner and Augustus Owens, who were citizens of the United States, thereby injuring, oppressing,

citizens of the United States, thereby injuring, oppressing,

threatening and intimidating them in the free exercise and enjoyment of a right and privilege secured to them by the Constitution of the United States, namely, the right to be secure against unreasonable searches and seizures.

7. It was further a part of said conspiracy that the defendants and their co-conspirators wilfully, knowingly and unlawfully would use their authority as police officers acting under color of the law of the State of New York to obtain money by extortion and other means from Vincent Papa, ^{N/A} Ralph Figliolo, John Capozucca, John Caruso, ^{N/A} Vincent James Panebianco, Louis Inglese and Jose Francisco Loo, who were citizens of the United States, thereby injuring, oppressing, threatening and intimidating them in the free exercise and enjoyment of a right and privilege secured to them by the Constitution of the United States, namely, the right not to be deprived of property without due process of law.

8. It was further a part of said conspiracy that the defendants and their co-conspirators would conceal the existence of the conspiracy and would take steps designed to prevent disclosure of their activities.

In furtherance of the conspiracy and to effect the objects thereof, the following overt acts, among others, were committed in the Eastern District of New York and elsewhere:

OVERT ACTS

1. In or about March 1969, defendant FRANCIS E. KING obtained a sum of money from Vincent Papa, a suspected narcotics dealer.

2. On or about May 14, 1969, defendant FRANCIS E. KING and other members of SIU had a conversation with Ralph Figliolo, a defendant in a narcotics case.

3. In or about May 1969, defendant FRANCIS E. KING had a conversation with other members of SIU in Queens, New York concerning Vincent James Panebianco, a suspected narcotics dealer.

4. In or about November 1969, defendants FRANCIS E. KING, HEFFERNAN and MATARASSO, acting without lawful authorization, conducted a wiretap on a telephone used by Donald Woodford, a suspected narcotics dealer.

5. In or about November 1969, defendants FRANCIS E. KING, HEFFERNAN and MATARASSO, acting without lawful authorization, conducted a wiretap on a telephone used by Alfonse Lanza, a suspected narcotics dealer.

6. In or about January 1970, defendants FRANCIS E. KING, ANN CROSBY KING, HEFFERNAN and MATARASSO, acting without lawful authorization, conducted a wiretap on a telephone used by Jose Hernandez, a suspected narcotics dealer.

7. In or about January 1970, defendants FRANCIS E. KING, ANN CROSBY KING, HEFFERNAN and MATARASSO, acting without lawful authorization, conducted a wiretap on a telephone used by Carmelo Tirado, a suspected narcotics dealer.

8. In or about May 1970, defendant FRANCIS E. KING met with Vincent Papa in Queens, New York.

9. On or about July 21, 1970, defendant MATARASSO signed a false affidavit in order to obtain authorization for a wiretap on a telephone used by Herbert Bidmead, a suspected narcotics dealer.

10. On or about November 25, 1970, defendant FRANCIS E. KING obtained a sum of money from Jose Francisco Loo, a suspected narcotics dealer.

11. In or about January 1971, defendants FRANCIS E. KING, ANN CROSBY KING, HEFFERNAN and MATARASSO, acting without lawful authorization, conducted a wiretap on a telephone used by Salvatore Larca, a suspected narcotics dealer.

12. In or about February 1971, defendants FRANCIS E. KING, ANN CROSBY KING, HEFFERNAN and MATARASSO, acting without lawful authorization, conducted a wiretap on a telephone used by Alfio Indiviglia, a suspected narcotics dealer.

13. On or about July 20, 1971, defendant FRANCIS E. KING signed a false affidavit in order to obtain authorization for a wiretap on a telephone used by Eugene Garner, a suspected narcotics dealer.

14. On or about November 23, 1971, defendant HEFFERNAN signed a false affidavit in order to obtain authorization for a wiretap on a telephone used by Augustus Owens, a suspected narcotics dealer.

(Title 18, United States Code, Section 241).

COUNT TWO

Sum - 11/1/64

The Grand Jury Further Charges:

On or about and between the 21st day of July 1971 and the 19th day of August 1971, both dates being approximate and inclusive, within the Eastern District of New York, FRANCIS E. KING, ANN CROSBY KING, RONALD P. HEFFERNAN and JACK MATARASSO, the defendants, wilfully, knowingly and without lawful authorization, did intercept and endeavor to intercept by means of a electronic device, that is, a telephone wiretap, wire communications made and sent by and between persons over a telephone bearing number (212) 525-3595, located at 130-01 226th Street, Queens, New York. (Title 18, United States Code, Section 2511(1)(a); Title 18, United States Code, Section 2).

A TRUE BILL.

Robert Schell

FOREMAN.

David G. Trager
DAVID G. TRAGER
United States Attorney
Eastern District of New York